

#### IV. REMARKS

The abstract has been amended as requested. It is therefore submitted that it is no longer objectionable.

The Examiner is of the opinion that the claims cannot be considered acceptable based on the passage beginning from line 33, page 6, of Turunen. This passage describes the idea of finding out whether a wireless terminal is registered to a GPRS network, and whether it has an active packet data connection.

When taking a closer look at this passage and Figure 2 of the reference, it can be seen that in Turunen an inquiry is sent from an e-mail server (MSV, Fig. 2) to a DNS server. If a wireless terminal (MS1) is connected to a GPRS network and it has an active packet data connection, the DNS server sends a confirmation to the e-mail server (MSV) that sent the inquiry. The confirmation indicates the IP address of the wireless terminal.

It can be seen from Turunen, for example from Figure 2, that the DNS server to which the inquiry is sent is situated outside the GPRS cellular network. In other words, in Turunen the inquiry is sent to the outside of the cellular network.

In the present invention, on the other hand, the inquiry is sent directly to the cellular network, preferably to a GGSN. Claim 1 states: "sending a first inquiry from the messaging server to a specific first network element in the cellular network to determine the readiness of said terminal to receive data". Since, according to the invention, the inquiry is sent to the cellular

network, the method of the invention works regardless of whether a static or a dynamic IP address has been allocated to the terminal. It is unclear whether the arrangement disclosed in Turunen works at all in a situation where a dynamic IP address has been allocated, as only a static IP address has been dealt with in the passage in question.

Nothing in the cited passage indicates that the inquiry for determining the readiness of the terminal to receive data would be sent to a specific first network element in the cellular network. Similar limitations are in the remaining independent claims.

Thus, the rejection of claims 1 and 4-19 under 35 USC 102 on Turunen should be withdrawn. Further since there is no suggestion in Turunen of the present invention, these claims are unobvious over Turunen.

New claim 20 corresponds to allowable claim 2 rewritten in independent form, and it and its dependent claims are therefore allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$266.00 is enclosed for additional claim fees. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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